

REMARKS

Claims 1-12 and 14-15 are pending in the application. Claims 1-4, 8, 11, 12, 14 and 15 have been amended. Support for the amendments and the new claim may be found in the specification as originally filed. No new matter has been added.

REJECTIONS UNDER 35 USC 102(b)

1. Claims 1-12, 14 and 15 stand rejected under 35 USC 102(b) as being anticipated by Neer et al. (hereinafter "Neer").

It is well settled that in order for a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in prior art. The disclosure requirement under 35 USC 102 presupposes knowledge of one skilled in art of claimed invention, but such presumed knowledge does not grant license to read into prior art reference teachings that are not there. See *Motorola Inc. v. Interdigital Technology Corp.* 43 USPQ2d 1481 (Fed. Cir. 1997). It is also well-settled that a 35 USC 102 rejection must rest upon the literal teachings of the reference and that the teachings must disclose every element of the claimed invention in as complete detail as is contained in the claim (See *Jamesbury Corp v. Litton Industrial Products, Inc.* 225 USPQ, 253, 256 (Fed. Cir. 1985); *Kalman v. Kimberly-Clark Corp* 218 USPQ 781, 789 (Fed. Cir. 1983)).

The Final Action alleges that Neer discloses "a syringe adapter (31) comprising a rear mounting member (37) to engage a syringe retaining mechanism (125) on an injector, a front mounting member (33) with capture members (85) to engage a syringe (32).

However, Neer discloses that:

The pressure jacket 31 has a generally cylindrical inner bore 33 extending therethrough from a proximate end 34 adjacent the door 25 to a remote end 35 of the pressure jacket 31 toward the front of the unit 20. The bore 33 is dimensioned so as to receive through the remote end 35 the disposable syringe 32 and to support the syringe against expansion from fluid pressure within such fluid pressure may range to more than a thousand psi. The pressure jacket 31

has an annular flange 37 extending outwardly around the proximate end 34. The flange 37 is integrally formed with the jacket cylinder and is shaped to conform to an annular recess 38 surrounding a circular hole 39 in the door 25 to which the jacket 31 may be assembled by insertion from the rear. The hole or opening 39 in the door 25 and the cylindrical bore 33 of the jacket 31 are concentric with a longitudinal axis 40 on which also lies an axis 41 of the syringe 32 when the syringe 32 is positioned in the bore 33 of the jacket 31. The jacket 31 is firmly and rigidly attached to the door 25 with a pair of screws 43, only one of which is shown, which are threaded into a pair of holes 44 in the back of the door 25 (FIG. 2). An O-ring seal 46 surrounds the flange 37 of the jacket 31 in the recess 38 of the door 25. (Col 7, lines 38-61)

Thus, Neer requires that the syringe adapter or jacket 31 be oriented specifically for engagement to the door 21 (injector) because the screws with screw holes connect the jacket 31 to the injector. Thus, Neer discloses a syringe adapter that requires a specific syringe orientation relative to the jacket, and therefore does not disclose the Applicants' invention of Claims 1, 14 and 15 including "the rear mounting member is adapted to **connect** to the syringe retaining mechanism of the injector regardless of the orientation of the syringe adapter with respect to the injector."

With regard to Claims 6 and 15, Neer does not disclose "one or more projections adapted to engage corresponding members of the syringe retaining mechanism to enable release of the syringe from the injector through rotational motion." Thus, Neer does not disclose Applicants' invention and reconsideration is requested.

2. Claims 1-12, 14 and 15 stand rejected under 35 USC 102(e) as being anticipated by Yamamoto.

The Final Action alleges that "Yamamoto teaches a syringe adapter (200) comprising a rear mounting member (217) to engage a syringe retaining mechanism (13) on an injector, a front mounting member (202) with capture members (204, 205) to engage a syringe (2)."

However, Yamamoto discloses "The syringe adaptor 200 has a body part 201 having an opening 201a. The body part 201 is provided on its one end with a pair of projections 217 and 218 which are engaged with convex parts 13 (see FIG. 14) provided on an inner peripheral surface 14 of an opening 12 of the injection head 11 for fixing the syringe adaptor 200 itself to the injection head 11, on positions opposed to

each other along the peripheral surface of the body part 201." Thus, Yamamoto discloses that the projections 217, 218 have to be oriented to mate with the convex parts 12, and thus does not disclose a syringe adapter including "the rear mounting member [that] is adapted to **connect** the syringe retaining mechanism of the injector regardless of the orientation of the syringe adaptor with respect to the injector" of Claims 1, 14 and 15.

Yamamoto also discloses that "the body part 201 is further provided on its other end with a base part 202, a flange receiving part 203 supporting the flange part 5 (see FIG. 1) of the syringe 2 from the rear end and the outer side surface, and a pair of holding members 204 and 205 covering the flange part 5 from the front end of the syringe 2 thereby supporting the flange part 5 along with the flange receiving part 203 while holding the body part of the syringe 2 along its outer peripheral surface. The holding members 204 and 205 are rotatably fixed to the body part 201 through fixing holes 204a and 205a, which are provided in first ends thereof, with screws 206 and washers 207 through screw holes 202c and 202d provided on the base part 202 respectively. The holding members 204 and 205 are provided with slots 204b and 205b for limiting open states thereof in the vicinity of the fixing holes 204a and 205a respectively, while the screws 206 and the washers 207 are mounted through screw holes 202a and 202b which are provided on the base part 202." (col. 6, lines 6 -26). Essentially Yamamoto discloses separated holding members 204, 205 that also rotatably fixed, therefore there is no front mounting member comprising at least one capture member that "includes an annular surface terminating with a continuous distal ledge" of Applicants' invention of Claim 2.

With regard to Claim 14, as discussed above Yamamoto discloses projections 217, 218 which mate with convex parts 13, and thus the adaptor 200 must be aligned properly with the injector. Therefore, Yamamoto does not disclose a method of adapting an injector to accept a syringe including "**connecting** an adapter configured to accept the syringe on the injector without regard to the orientation of the adapter with respect to the injector" of Claim 14.

With regard to Claims 6 and 15, Yamamoto does not disclose "one or more projections adapted to engage corresponding members of the syringe retaining

mechanism to enable release of the syringe from the injector through rotational motion.” Thus, Yamamoto does not disclose Applicants’ invention and reconsideration is requested.

ADVISORY ACTION

As suggested in the Advisory Action dated May 3, 2007, Applicants have amended Claims 1, 14 and 15 to reflect that “the rear mounting member is adapted to **connect** to the syringe retaining mechanism of the injector regardless of the orientation of the syringe adapter with respect to the injector.”

In addition to avoiding the broad construction that the Examiner provided to the term “engage”, Applicants believe that the cited prior art Neer and Yamamoto references also do not disclose or suggest a syringe adapter that is adapted to **connect** to an injector without regard to the orientation of the syringe adapter with respect to the injector.

DEPENDENT CLAIMS

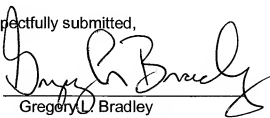
Regarding dependent Claims 2-12, they depend from independent Claim 1 either directly or indirectly. As discussed above, independent Claim 1 is believed to be allowable, thus Claims 2-12 are also believed to be allowable.

In view of the above amendments and remarks, Applicants submit that the claims are in condition for allowance. Reconsideration of this application is respectfully requested.

Respectfully submitted,

Dated: June 11, 2007

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